

DOCKET NO. HARR0032-101

PATENT

APPLICATION SERIAL NO. 10/607,479

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT DATED JAN. 6, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Lawrence S. Young et al. Confirmation No.: 5440

Serial No.: 10/607,479

Art Unit: 1633

Filing Date: June 26, 2003

Examiner: Scott D. Priebe

For: GENE EXPRESSION USING T CELL FACTOR RESPONSIVE ELEMENT

Customer No.: 34139

EXPRESS MAIL LABEL NO. EV146 601 865US

DATE OF DEPOSIT: January 6, 2006

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56 and in accordance with 37 C.F.R. §§ 1.97 and 1.98, information relating to the above-identified application is hereby disclosed. The Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO Form SB/08A and PTO Form SB/08B, submitted herewith.

Inclusion of the information submitted herewith is not to be construed as an admission that the information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made.

This Supplemental Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the patent application.
- ☐ within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application.
- ☐ before the mailing date of a first Office Action on the merits.

01/09/2006 YPOLITE1 00000085 501275 10607479

01 FC:1806 180.00 DA

- ☒ **after** the mailing date of a first Office Action on the merits, but before the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, and accordingly is accompanied by:
- ☐ the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below);
- and**
- ☒ the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p); or
- ☐ No fee is owed by the applicant(s).
- ☐ In accordance with 37 C.F.R. § 1.129(a), this Supplemental Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below) and the fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p), is attached.
- ☐ **after** the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, but before, or simultaneously with, the payment of the Issue Fee, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e), a Petition requesting consideration of the Supplemental Information Disclosure Statement and the Petition Fee of \$130.00 set forth in 37 C.F.R. § 1.17(i)(1) (see "Statement," "Petition," and "Fees" below).
- ☒ Copies of references listed on the attached PTO Form SB/08B, are enclosed herewith

EXCEPT THAT:

- ☐ In view of the voluminous nature of reference @, and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with 37 C.F.R. § 1.98(d), copies of the following references listed on the attached PTO Form SB/08A and PTO Form SB/08B, are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application.
- ☐ Copies of references @@ listed on the attached PTO Form SB/08A and PTO Form SB/08B, were previously cited by or submitted to the U.S.

Patent and Trademark Office in parent application Serial No. @@, filed on @@.

- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Pursuant to Fed. Reg. Vol. 69, No. 182, dated September 21, 2004, copies of U.S. Patents and U.S. Patent Publications need not be submitted as part of an Information Disclosure Statement.

Statement under 37 C.F.R. § 1.97(e)

- ☐ The undersigned attorney hereby states that each item information contained in the Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Supplemental Information Disclosure Statement.

Statement under 37 C.F.R. § 1.704(d)

- ☐ The undersigned attorney hereby states that each item of information contained in the Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and the communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than 30 days prior to the filing of the Supplemental Information Disclosure Statement.

Petition

- ☐ Applicant(s) hereby petitions the Assistant Commissioner to consider the references listed in this Supplemental Information Disclosure Statement, on the enclosed PTO Form SB/08A and PTO Form SB/08B, and the examination of the above-identified patent application.

Fees

- ☐ No Fee is owed by the applicant(s).
- ☒ The Supplemental Information Disclosure Statement Fee of \$180.00 under 37 C.F.R. § 1.17(p) is authorized to be charged to Deposit Account No. 50-1275.
- ☐ The Petition Fee of \$130.00 under 37 C.F.R. § 1.17(i)(1) is enclosed herewith.

Method of Payment of Fees

- ☐ Attached is a check in the amount of \$ _____. This form is submitted in duplicate.
- ☒ Charge Deposit Account No. 50-1275 in the amount of **\$180.00**. This form is submitted in duplicate.
- ☒ Please charge any deficiency or credit any overpayment to Deposit Account 50-1275.
- ☐ No fee or Statement is required under 37 C.F.R. § 1.97(b).

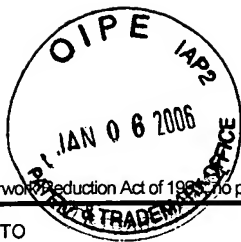
There are no listed references, which are not in the English language.

Respectfully submitted,

Dated: January 6, 2006

COZEN O'CONNOR, P.C.
1900 Market Street, 6th Floor
Philadelphia, PA 19103-3508
(215) 665-5593 - Telephone
(215) 701-2005 - Facsimile


Doreen Yatko Trujillo
Registration No. 35,719



PTO/SB/08b(08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449B/PTO

**SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/607,479
Filing Date	June 26, 2003
First Named Inventor	Lawrence S. Young et al.
Art Unit	1633
Examiner Name	Scott D. Priebe
Attorney Docket Number	HARR0032-101

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BY	BESNARD-GUERIN, C. ET AL., "HIV-1 Vpu Sequesters β -Transducin Repeat-containing Protein (β TrCP) in the Cytoplasm and Provokes the Accumulation of β -Catenin and Other SCF ^{βTrCP} Substrates, <i>J. Biological Chemistry</i> , 279(1) :788-795, January 2, 2004	
	BZ	CHEON, S.S. ET AL., " β -Catenin stabilization dysregulates mesenchymal cell proliferation, motility, and invasiveness and causes aggressive fibromatosis and hyperplastic cutaneous wounds," <i>PNAS</i> , 99(10) :6973-6978, May 14, 2002	
	CA	CHILOSI, M. ET AL., "Aberrant Wnt/ β -Catenin Pathway Activation in Idiopathic Pulmonary Fibrosis, <i>American Journal of Pathology</i> , 162(5) :1495-1502, May, 2003	
	CB	MAK, B.C. ET AL., "The Tuberin-Hamartin Complex Negatively Regulates β -Catenin Signaling Activity, <i>J. Biological Chemistry</i> , 278(8) :5947-5951, 2003	
	CC	MOON, R.T. ET AL., "WNT and β -Catenin Signalling: Diseases and Therapies," <i>Nature Reviews, Genetics</i> , 5 :689-699, September, 2004	

Examiner Signature	Date Considered
-----------------------	--------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**A COPY OF THIS REFERENCE WILL NOT BE FORWARDED TO THE U.S. PATENT AND TRADEMARK OFFICE SINCE IT IS BELIEVED TO BE TOO VOLUMINOUS AND EASILY OBTAINABLE BY THE EXAMINER.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.